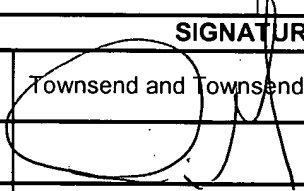
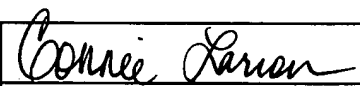


JFW

PTO TRANSMITTAL FORM NOV 25 2005 (to be used for correspondence after initial filing)	Application Number	10/803,569
	Filing Date	March 17, 2004
	First Named Inventor	Seamans, Scott
	Art Unit	3728
	Examiner Name	Jila M. Mohandesi
	Attorney Docket Number	040130-050011US
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
Remarks: The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Townsend and Townsend and Crew LLP	
Signature		
Printed name	Darin J. Gibby	
Date	November 22, 2005	Reg. No. 38,464

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Connie Larson	Date	November 22, 2005

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On Nov. 22, 2005

PATENT
Attorney Docket No.: 040130-050011US

TOWNSEND and TOWNSEND and CREW LLP

By Bonnie Larson



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Scott Seamans

Application No.: 10/803,569

Filed: March 17, 2004

For: FOOTWEAR MOLDS

Examiner: Jila M. Mohandesi

Art Unit: 3728

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references [in compliance with the requirements of 1287 OG 163] are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

11/25/2005 SFELEKE1 00000094 201430 10803569

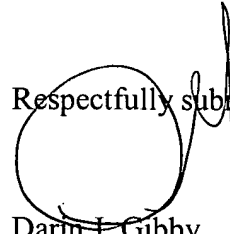
01 FC:1806

180.00 DA

This Information Disclosure Statement is being filed after the mailing date of an Office Action mailed October 21, 2005.

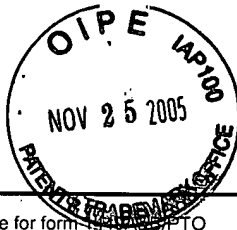
Please deduct \$180.00, pursuant to 37 CFR §1.17(p), from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees or credit any overpayment to the above-noted Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a vertical line and a small flourish.

Darin J. Gibby
Reg. No. 38,464

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 303-571-4321
DJG/cl
60641599 v1



PTO/SB/08A&B (08-03)

Substitute for form PTO/SB/08A&B INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/803,569
				Filing Date	March 17, 2004
				First Named Inventor	Seamans, Scott
				Art Unit	3728
				Examiner Name	Jila M. Mohandes
Sheet	1	of	3	Attorney Docket Number	040130-050011US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	US-1,392,350	10-4-21	O'Brien	
	AB	US-2,180,924	11-21-39	Dunbar	
	AC	US-4,100,685	7-18-78	Dassler	
	AD	US-4,408,401	10-11-83	Seidel et al.	
	AE	US-4,967,750	11-6-90	Cherniak	
	AF	US-4,888,887	12-26-89	Solow	
	AG	US-5,438,767	8-8-95	Stein	
	AH	US-5,528,841	6-25-96	Pozzobon	
	AI	US-5,561,919	10-8-96	Gill	
	AJ	US-D381,794	8-5-97	Gelli	
	AK	US-D416,667	11-23-99	Lamstein	
	AL	US-D431,346	10-3-00	Birkenstock	
	AM	US-6,237,250	5-29-01	Aquerre	
	AN	US-D476,797	7-8-03	Schenone	
	AO	US-5,540,464	11-4-03	Hsin et al.	
	AP	US-6,860,035	3-1-05	Girard	
	AQ	US-D155,956	11-1949	Wood	
	AR	US-D368,797	4-1996	Brooks et al.	
	AS	US-D428,239	7-2000	Plamondon	
	AT	US-D479,034	9-2003	Tzenos	
	AU	US-D492,095	6-2004	Sanchez et al.	
	AV	US-D492,096	6-2004	Sanchez et al.	
	AW	US-D492,841	7-2004	Magro	
	AX	US-D493,611	8-2004	Chen	
	AY	US-D66,083	11-1924	Johnson	
	AZ	US-D247,136	2-1978	Mizoguchi	
	BA	US-D251,158	2-1979	Edmonds	
	BB	US-D355,526	2-1995	Duclos	
	BC	US-D467,065	12-2002	Chen	
	BD	US-D494,345	8-2004	Werman	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	BE	EP-0	802 039 A2		10-22-97	Finproject - S.P.A.		<input type="checkbox"/>
	BF	EP-0	802 040 A2		10-22-97	Finproject - S.P.A.		<input type="checkbox"/>
	BG	EP-0	802 041 A2		10-22-97	Finproject - S.P.A.		<input type="checkbox"/>
	BH	EP-0	884 005 A1		12-16-98	Fin project - S.P.A.		<input type="checkbox"/>
Examiner Signature					Date Considered			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A&B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/803,569
				Filing Date	March 17, 2004
				First Named Inventor	Seamans, Scott
				Art Unit	3728
				Examiner Name	Jila M. Mohandes
Sheet	2	of	3	Attorney Docket Number	040130-050011US

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	BI	GB	2,322,286		8-26-98	Quillot		<input type="checkbox"/>
	BJ	CA	2,375,957		9-13-02	Pan et al.		<input type="checkbox"/>
	BK							<input type="checkbox"/>
	BL							<input type="checkbox"/>

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BM	RHODA MIEL, <i>Snowshoe Walks Away with Best Design</i> , <i>Plastics News</i> , April 22, 2002, v. 14, n. 8, p. 4 (2 pages).	
	BN	LUISA ZARGANI, <i>One Fine Year; Anton Magnani's Quirky Dry-Shod Designs have Gained the Italian Design Respect, Recognition and a Deal with Comme Des Garcons</i> , <i>Footwear News</i> , August 2, 1999, i. 102 (2 pages).	
	BO	<i>FinProject Brews an Extralight (Evasol Plastics and Finproject signed a joint venture agreement to introduce a range of new-black and net-fit soles for shoes)</i> , <i>Footwear News</i> , <i>World Week</i> , August 4, 1997, v. 53, n. 31, p. 8 (3 pages).	
	BP	CINDY MACDONALD, <i>The Entrepreneurs: they're bilingual, multicultural and talented. Distance and language present no barriers to Quebec plastics processors and mold makers as the province's plastics industry continues to increase its level of exports and welcome new companies</i> , <i>Canadian Plastics</i> , O'99, v. 57(10), p. 35-50 (9 pages).	
	BQ	<i>The Elastomers Items: Engage Adds comfort to Sporting Components</i> , <i>Chemical Business New Base: The Elastomers Times</i> , December 1, 2000 (2 pages).	
	BR	<i>Comfortable Walking</i> , <i>Italian Technology</i> , October 1999, n. 3, p. 168 (abstract, 12 page).	
	BS	<i>Injected Eva</i> , <i>Macplas International</i> , August 1999, n. 10, p. 90 (abstract, 1 page).	
	BT	<i>Walking on Modified Eva</i> , <i>Italian Technology</i> , May 1999, n. 2, p. 121, (abstract, 1 page).	
	BU	<i>Trademark Name Record</i> , <i>Official Gazette of the US Patents and Trademarks Office</i> , March 24, 1998, 1208, n. 4, p. 73, (abstract, 1 page).	
	BV	<i>Engage® polyolefin elastomers, the critical ingredient for success</i> , <i>DuPont Dow Elastomers</i> , Copyright© 2000, DuPont Dow Elastomers, www.dupont-dow.com/engage (12 pages).	
	BW	<i>Waldenstore.com, Footwear Waldies</i> , August 4, 2003, http://www.waldenstore.com/waldies.html , (1 page).	

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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				Application Number	10/803,569
				Filing Date	March 17, 2004
				First Named Inventor	Seamans, Scott
				Art Unit	3728
				Examiner Name	Jila M. Mohandesi
Sheet	3	of	3	Attorney Docket Number	040130-050011US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BX	<i>Birkenstock®, Spring & Summer 2003 Catalog</i> , Birkenstock Orthopudie GmbH, Germany (82 pages).	
	BY	<i>Plaintiff's Statement of Claim</i> , FOAM CREATIONS INC. vs. HOLEY SOLES HOLDINGS LTD., Ontario, Canada Federal Court, January 28, 2005, Ridout & Maybee LLP (8 pages).	
	BZ	<i>Defendant's Statement of Defence</i> , FOAM CREATION INC. vs. HOLEY SOLES HOLDINGS LTD., Ontario, Canada Federal Court, Court File No. -161-05, March 10, 2005, Oyen Wiggs Green & Mutala LLP (9 pages).	
	CA	<i>Defendant's Response to Request for Particulars</i> , FOAM CREATIONS INC. vs. HOLEY SOLES HOLDINGS LTD., Ontario, Canada Federal court, Court File No. T-161-05, April 22, 2005, Oyen Wiggs Green & Mutala LLP (including Appendices A-C, 236 pages).	
	CB	<i>Plaintiff's Request for Particulars of Defence</i> , FOAM CREATIONS INC. vs. HOLEY SOLES HOLDINGS LTD., Ontario, Canada Federal Court, Court File No. T-161-05 May 1, 2005, Ridout Y Maybee (5 pages).	
	CC	<i>Plaintiff's Further Request for Particulars</i> , FOAM CREATIONS INC. vs. HOLEY SOLES HOLDINGS LTD., Ontario, Canada Federal court, Court File No. T-161-05, May 12, 2005, Ridout & Maybee (including Schedule A, 6 pages).	
	CD	<i>Plaintiff's Reply</i> , FOAM CREATIONS INC. vs. HOLEY SOLES HOLDINGS LTD., Ontario, Canada Federal Court, Court File No. T-161-05, Ridout & Maybee (7 pages).	
	CE	http://web.archive.org/web/19980420230857/www.birkenstock.com/featprof.hum (3 pages).	
	CF	COMPLAINT, <i>Holey Soles Holdings Ltd v. Foam Creations, Inc. and CROCS, Inc.</i> (05CV6893 (MBM)(AJP) S.D.N.Y. filed Aug. 2, 2005).	

Examiner Signature		Date Considered	
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